

REMARKS

After entry of this Amendment, claims 15-28 are pending in the Application. With this amendment, claims 1-14 are cancelled and new claims 15-28 are added. Reconsideration of the Application as amended is respectfully submitted.

In the final Office Action dated December 11, 2007, the Examiner rejects claim 12 under 35 USC § 112, 2nd paragraph, rejects claims 1 and 4-14 under 35 USC § 102(b) as being anticipated by Newton et al. (US 5,485,906), rejects claims 1 and 10-14 a second time under 35 USC § 102(b) as being anticipated by Newton, and rejects claims 2 and 3 under 35 USC § 103(a) over Newton in view of Hoffman et al. (US 5,823,315).

While Applicants disagree with the Examiner's rejections, Applicants have cancelled claims 1-14 and added new claims 15-28 to more distinctly claim the subject matter which applicant regards as his invention.

Claims 15-21 recite a coin deflection member moveable in response to the coin checker between a normal blocking position where the coin deflection member substantially spans the first coin delivery shaft and directs a coin propelled through the coin supply shaft by gravity into the second coin delivery shaft and an activated acceptance position where the coin deflection member permits the coin to be propelled by gravity into the first coin delivery shaft. In Newton, the rotation of the flap (36) is caused by a coin striking the flap (36) (Newton, col. 3, ll. 7-11), and thus the flap (36) is not "moveable in response to the coin checker". Further, the flap (36) in Newton is incapable of directing a coin because the flap (36) is designed to easily pivot whenever contacted (Newton, col. 3, ll. 4-6), and thus the flap (36) never occupies "a normal blocking position where the [flap (36)] ... directs a coin propelled through the coin supply shaft by gravity into the second coin delivery shaft". Therefore, the flap (36) in Newton by itself can not be said to be a deflection member as recited in claims 15-21. Claims 15-21 additionally recite a beam deflector mounted directly on the coin deflection member for unitary movement of a monolithic body defined by the coin deflection member and the beam deflector between the normal blocking position and the activated acceptance position. In Newton, the prism (38) is carried on the flap (36), and the flap (36) is pivotable relative to the accept gate (12). (Newton, col. 3, ll. 52-63.) Thus, the prism (38)

is not "mounted directly" to the accept gate (12), and the prism (38) and accept gate (12) do not "define a monolithic body". Further, the prism (38) moves independently of the accept gate (12) due to the pivot between the flap (36) and the accept gate (12). (See Newton, col. 3, ll. 7-22.) Thus, the arrangement in Newton does not allow for "unitary movement" of the accept gate (12) and the prism (38) "between the normal blocking position and the activated acceptance position". Therefore, the accept gate (12) in Newton by itself can not be said to be a deflection member as recited in claims 15-21. Further, the accept gate (12) shifts positions when a solenoid is energized by the acceptance of a coin (Newton, col. 2, ll. 5-7), and the flap (36) pivots relative to the accept gate (12) when the coin contacts the flap (36) (Newton, col. 3, ll. 6-10). The rotation of the flap (36) therefore occurs after and independently from the shifting of the accept gate (12). Since the accept gate (12) must move prior to the flap (36) in order to allow a coin to contact the flap (36), the arrangement of the flap (36) and the accept gate (12) does not allow for "unitary movement" of the accept gate (12) and the flap (36). Since the accept gate (12) and flap (36) move independently, they do not define "a monolithic body". Therefore, the flap (36) and accept gate (12) in Newton together can not be said to be a deflection member as recited in claims 15-21. Since neither of the flap (36) by itself, the accept gate (12) by itself, and the flap (36) together with the accept gate (12) is a deflection member as recited in claims 15-21, Newton does not teach or suggest the recitations of claims 15-21.

Claims 22-28 recite a monolithic coin deflection member moveable in response to the coin checker between a normal blocking position where the coin deflection member substantially spans the first coin delivery shaft and directs a coin propelled through the coin supply shaft by gravity into the second coin delivery shaft and an activated acceptance position where the coin deflection member permits the coin to be propelled by gravity into the first coin delivery shaft. For the same reasons as stated in regards to claims 15-21, the flap (36) in Newton can not be said to be a deflection member as recited in claims 22-28. Claims 22-28 additionally recite the coin deflection member defined at least in part by a beam deflector located in a path between the beam emitter and the beam receiver. In Newton, the prism (38) is carried on the flap (36), and the flap (36) is pivotable relative to the accept gate (12). (Newton, col. 3, ll. 52-63.) Since accept gate (12) is spatially separate and independently moveable relative to the prism

(38), the accept gate (12) is not "defined at least in part by" the prism (38). Therefore, the accept gate (12) in Newton by itself can not be said to be a deflection member as recited in claims 22-28. Moreover, the accept gate (12) and flap (36) together can not be said to be a monolithic coin deflection member because the accept gate (12) and flap (36) move relative to one another as described above. Since neither of the flap (36) by itself, the accept gate (12) by itself, and the flap (36) together with the accept gate (12) is a monolithic deflection member as recited in claims 22-28, Newton does not teach or suggest the recitations of claims 22-28.

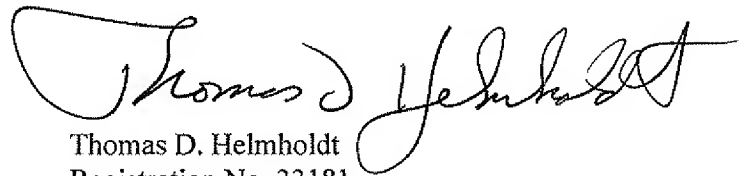
Hoffman also fails to teach or suggest the recitations of claims 15-28. For example, Hoffoman does not teach or suggest a beam deflector as recited in claims 15-28. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejections.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Thomas D. Helmholdt", with a large, stylized initial "T" and "H".

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